

Remarks

Reconsideration of the subject application is respectfully requested.

Claims 1-15 are pending in the subject application. Following the filing of Applicants' Brief on Appeal the Examiner reopened the prosecution in the subject application and set forth a new ground of rejection as set forth in an Office Action, mailed January 3, 2007.

Claims 1, 7, 12 and 15 are independent claims. Claim 1 is directed to a method of comparing on a visual display, information from different items. A common tag is used to identify passages in the information which relate to a category of information. Within the visual display, a different display area is provided for each of the different items. In each of the display areas, passages from the corresponding different item are displayed, which passages are identified by a designated common tag. As a result, the passages from the different items which are identified by the designated common tag are observable on the visual display at the same time.

Claim 7 recites a method of providing comparative information in an image displayed by a visual display about a plurality of different items. Information about the plurality of different items includes portions relating to common topics, and the portions on common topics are identified in the information by identifying tags. A navigational frame is provided in the displayed image, along with a plurality of dynamic frames. A user designation of the different items to be compared is received in the navigational frame. The information about the different items designated by the user to be compared is displayed simultaneously in each of the dynamic frames.

Claim 12 is directed to an apparatus for providing comparative information about a plurality of different items. The apparatus includes a visual display providing a visual image having an interactive navigational frame and a plurality of dynamic frames. A server is communicatively coupled to the visual display and stores information about the plurality of different items. The server compiles reports in response to a user designation in the navigational frame of the different items to be compared, and the visual display displays in each of the dynamic frames the different items designated to be compared so that the different items are observable at the same time.

Claim 15 is directed to an application for displaying comparative information about a plurality of different items in a visual image on a visual display . The application comprises a first routine which contacts an information server to request reports on different items designated by a user in a navigational frame in the visual image on the visual display. A second routine compiles the requested reports on the different designated items including frame sets corresponding to common topics. A third routine displays at substantially the same time in each of a plurality of frames in the visual image, a frame set from each of the reports which corresponds to a common topic which is designated by the user in the navigational frame.

Rejection of claims 1, 3-15 – 35 USC 102(e) – Sheppard USP 6,026,397:

In rejecting the claims under 35 U.S.C. 102(e), the Examiner has identified Figs. 1, 7 and 15, and col. 7 line 44 – col. 8, line 20, and col. 15 lines 14-31 of US Pat. No. 6,026,397 to Sheppard, as showing each of the elements of claims 1, 3-15. (Office Action pp. 3-6) Applicants respectfully traverse the Examiner's rejection for the following reasons:

In contrast to the pending claims which involve providing comparative information about different items, Sheppard, as presently understood, is directed to analyzing data files containing a large number of records. More specifically Sheppard provides functions, *inter alia*, for "segmenting the data records into a plurality of segments," for "clustering the customer data records into a plurality of customer groups having similar parameters," for "performing statistical analysis." Sheppard is said to be used to "identify complex patterns and relationships within large quantities of information," to "profile customer groups," "to segment records into logical groups," and to cluster records into "statistically significant groups." (Col. 1:17-21; col. 2:5-10, 14-21, 23-24, 32-38, 39-40, 42-43.)

Sheppard's Fig. 7 is described as representing "an exemplary of a parameter distribution window including histograms available with the rule based segmentation function" for a "rule based segmentation run," which function is used "to organize data hierarchically" by "applying a number of logical tests on the data." (Col. 3:6-8; col.

11:44-52; col. 8:1-64, Fig. 3.) Fig. 15 represents “an exemplary parameter distribution window with histograms” for the “neural clustering” function described in Sheppard, which function clusters data “to identify groups with similar characteristics” based upon the statistics of the data.” (Col. 3:29-30; col. 20:14-25; col. 12:21-39, Fig. 8.) These operations are performed on data from “data files” from a database. (Col. 6:40-43.) In one embodiment, the data are described as being “in ASCII data flat file format,” provided in the form:

Record 1 a b c d . . .

Record 2 a b c d . . .

Record 3 a b c d . . .

(See col. 6:21-28.)

Before “segmentation,” the data from the data files are subjected to a formatting process 69, Fig. 3 (col. 8:22-27), and an initial analysis step 70, Fig. 3 (col. 8:27-31). Thereafter, “initial segmentation” (step 71, Fig. 3) and a “further segmentation” (step 72, Fig. 3) are conducted on the data file (col. 8:32-55). Among the uses listed in Sheppard for the rule based segmentation function is “selectively partitioning the data for more manageable analyses” (col. 8:56-64). According to Sheppard, “[o]nce the desired bins for a particular segmentation have been established and applied to a data set, a histogram plot of the data may be generated . . .” (col. 11:46-49). Histogram 146 of Fig. 7 is described as illustrating “the distribution of members within a 20,000 member class having a minimum age of 18 and a maximum age of 94,” while histogram 148 of Fig. 7 is described as illustrating “the distribution for the same data set but having a minimum age of 60 to a maximum age of 94”. (Emphasis added, col. 12:3-9.) Thus, in Fig. 7, histogram 146 displays data from the “same data set” as displayed in histogram 148. Further, as understood, “values regions 160” and “distribution regions 162” in Fig. 7 permit the selection of the form of the depiction of the parameter selected for depiction in histograms 146 and 148 – in other words, as “actual” or “percentage” values, or as

“cumulative” or “non-cumulative” distributions – but do not permit the user to designate different items to be compared. (Col. 11:63- col. 12:15.)

The “neural clustering” function is described as clustering “data from a data file or from specific segments in a data file to identify groups with similar characteristics” and also as providing “a generic profiling capability.” (Col. 12:21-27.) The “neural clustering” function is described as being “different from the segmentation provided with rule based segmentation function 34 in that the clustering is based entirely on the statistics of the data, rather than specified logic.” (Col. 12:27-31.) The group of records associated with a particular cell or cluster are those for which the cluster parameters of the cluster provided “the best match [most similar] in the cluster map.” (Col. 13:1-18.) Fig. 15 is described as providing an example of a histogram for a cell or group of cells resulting from the neural clustering function. (Col. 19:65 – col. 20:25; Fig. 13.) Each histogram displays the distribution of the selected parameter for the records in the selected cluster. (Col. 20:5-17.) Thus, in Fig. 15, the histograms 342 and 344 display data from the same data file or the same specific segments in a data file. Further, as understood, “values sections 347” in Fig. 15 permit the selection of the form of the depiction of the selected parameter depicted in histograms 342 and 344 – in other words, as “actual” or “percentage” values – but does not permit the user to designate different items to be compared. (Col. 20:20-25.)

Thus, in both Figs. 7 and 15 of Sheppard, what is displayed in the histograms represents data from the same data file, and the “values region 160,” the “distribution regions 162,” and the “values section 347” permit a selection of the form with which values are displayed, but not user designation of different items to be compared. In view of at least the foregoing features of Sheppard, it is respectfully that the claims of the subject application are allowable over Sheppard as set forth in detail below.

Independent claim 1:

Regarding independent claim 1, the Examiner has taken the position that:

As to claim 1, Sheppard shows a method for comparing information from a plurality of items on a visual display (e.g., figs. 7 and 15), comprising the steps of

(a) identifying with a common tag (Actual Percentage Values tag 160 can be selected for Hist 1 and Hist 2, e.g., figs. 7 and 15), passages in the information for each of the plurality of different items which relate to a category of information (different values are compared side-by-side shown as 146 versus 148 of fig. 7 and 342 versus 344 of fig. 15, col. 7 line 44-col. 8 line 20, and col. 15 lines 14-31);

(b) providing a different display area in the visual display for each of the plurality of different items (e.g., figs. 7 and 15); and

(c) displaying in each of the display areas the passages from each of the plurality of different items which are identified by a designated common tag, so that the passages are observable at the same time (different values are compared side-by-side shown as 146 versus 148 of fig. 7 and 342 versus 344 of fig. 15, col. 7 line 44 - col. 8 line 20, and col. 15 lines 14-31).

(Office Action p. 3.)

For the “identifying with a common tag” feature of element (a) of claim 1, the Examiner asserts that in Sheppard, “Actual Percentage Values tag 160 can be selected for Hist 1 and Hist 2, e.g., figs. 7 and 15.” However, as discussed above, “values regions 160” in Fig. 7 permits the selection of the form of the depiction of the parameter selected for depiction in histograms 146 and 148 – in other words, depiction as “actual” or “percentage” values. Such selection of the form of the depiction is not an “identifying with a common tag, passages in the information for each of the plurality of different items.” To the extent the Examiner considers the word “Value” that appears in the displayed histograms 146 and 148 of Fig. 7, and histograms 342 and 344 of Fig. 15, to be a “common tag,” it is respectfully submitted that the word “Value” relates to the displayed form, and not to an identification of “passages” from information for different items, much less to the identification “in the information” of passages for different items.

The Examiner asserts for the claim 1, element (a), feature -- “[identifying with a common tag,] passages in the information for each of the plurality of different items which relate to a category of information” -- that in Sheppard, “different values are compared side-by-side shown as 146 versus 148 of fig. 7 and 342 versus 344 of fig. 15, col. 7 line 44-col. 8 line 20, and col. 15 lines 14-31.” However, an inspection of histograms 146 and 148 of Fig. 7, and 342 and 344 of Fig. 15, reveals that the “values” displayed correspond to the “distribution” of the parameter being displayed for the same

data file. While different "values" appear in these histograms, these "values" are not "passages in the information" for "the different items", first because they relate to data from the same data file, and also, as discussed above, because the "values" are the results of analyses of such data, not a comparison of "passages in the information."

Thus, contrary to the Examiner's position, it is respectfully submitted that Sheppard does not teach, suggest or make obvious "identifying with a common tag, passages in the information for each of the plurality of different items."

It is also respectfully submitted that Sheppard does not teach, suggest or make obvious the "displaying in each of the display areas the passages from each of the plurality of different items which are identified by a designated common tag" which appears in element (c) of claim 1. The Examiner asserts that in Sheppard, "different values are compared side-by-side shown as 146 versus 148 of fig. 7 and 342 versus 344 of fig. 15, col. 7 line 44 - col. 8 line 20, and col. 15 lines 14-31." . However, as discussed above, the "values" displayed in Sheppard's histograms correspond to the "distribution," for the same data file, of the parameter being displayed. While different "values" appear in these histograms, these "values" are not "passages in the information" for "the different items", first because they relate to data from the same data file, and also, as discussed above, because the "values" are the results of analyses of such data, not a comparison of "passages in the information."

For at least the foregoing reasons, it is respectfully submitted that claim 1 is allowable over Sheppard.

Independent claim 7:

Regarding independent claim 7, the Examiner has taken the position that:

As to claim 7, Sheppard shows a method of providing comparative information in an image displayed by a visual display about a plurality of different items, wherein information about the plurality of different items includes portions relating to common topics, and further wherein the portions on common topics are identified in the information by identifying tags (Actual/Percentage Values tag 160 can be selected for Hist 1 and Hist 2, e.g., figs. 7 and 15, and see claim 1 above), the method comprising the steps of

(a) providing a navigational frame in the displayed image (e.g., windows 160 and 162);

(b) providing a plurality of dynamic frames in the displayed image (different values are compared side-by-side shown as 146 versus 148 of fig. 7 and 342 versus 344 of fig. 15, col. 7 line 44-col. 8 line 20, and col. 15 lines 14-31);

(c) receiving in the navigational frame a user designation of the different items to be compared (Actual/Percentage Values tag 160 can be selected for Hist 1 and Hist 2, e.g., figs. 7 and 15);

(d) display simultaneously in each of the dynamic frames information about the different items designated to be compared (different values are compared side-by-side shown as 146 versus 148 of fig. 7 and 342 versus 344 of fig. 15, col. 7 line 44-col. 8 line 20, and col. 15 lines 14-31).

(Office Action pp. 4-5.)

With respect to the claim 7 feature that “the portions [of information, on the different items, relating to] common topics are identified in the information by identifying tags,” the Examiner has taken the position that in Sheppard, “Actual/Percentage Values tag 160 can be selected for Hist 1 and Hist 2, e.g., figs. 7 and 15, and see claim 1 above.” The reasons discussed above for claim 1 as to why the “Actual/Percentage Values 160” is an indicator of form and not an identification of “passages” of information, apply as well to why “Actual/Percentage Values 160” is not an “identifying tag” for the “portions on common topics” of claim 7. Further, because the “parameter distribution” windows of Fig. 7 and 15 depict the results of analyses conducted on data, it is respectfully submitted that these windows do not depict “identifying tags” which are “in the information” in order to identify the “portions on common topics.” It is respectfully submitted that the “Actual/Percentage Values 160” of Sheppard are not “in the information” to identify the “portions on common topics,” but instead are a selection of the form of whatever is being displayed.

As to the feature of element (c) of claim 7 – “receiving . . . a user designation of the different items to be compared” – the Examiner has taken the position that “Actual/Percentage Values tag 160 can be selected for Hist 1 and Hist 2, e.g., figs. 7 and 15.” As explained above, “Actual/Percentage Values 160” is an indicator of form and not an identification of passages or portions in information. Further, as an indicator

of the form of the analysis displayed in the histograms, Sheppard's "Actual/Percentage Values 160" cannot be a "designation of the different items to be compared." In Sheppard, the analysis results of "same data set" (see, Sheppard, col. 12:3-9) are depicted in the upper and lower histograms, therefore "different items" cannot be designated by Sheppard's "Actual/Percentage Values 160."

As to the feature of element (d) of claim 7 – "displaying simultaneously in each of the dynamic frames information about the different items designated to be compared" – the Examiner has taken the position that in Sheppard, "different values are compared side-by-side shown as 146 versus 148 of fig. 7 and 342 versus 344 of fig. 15, col. 7 line 44-col. 8 line 20, and col. 15 lines 14-31." As discussed above, in Sheppard, the analysis results of "same data set" (see, Sheppard, col. 12:3-9) are depicted in the upper and lower histograms of Figs. 7 and 15. It is respectfully submitted that although the Examiner refers to "values" being depicted in Figs. 7 and 15 of Sheppard, there is no indication of what in Sheppard correspond to "the different items designated to be compared."

For at least the foregoing reasons it is respectfully submitted that claim 7 is allowable over Sheppard.

Independent claims 12 and 15:

The Examiner has indicated that independent claims 12 and 15 are rejected for the same reasons set forth for claims 7 and 10, respectively. It is respectfully submitted that claim 12 is allowable for at least the same reasons set forth above for claim 7. As to claim 15, it is respectfully submitted that claim 15 is allowable for at least the same reasons set forth above for claim 1, from which claim 10 is ultimately dependent.

Dependent claims 3-6, 8-11 and 13-14:

It is respectfully submitted that claims 2-6, 8-11 and 13-14, as ultimately dependent from either independent claim 1, 7, or 12, are allowable for at least the reasons set forth for their corresponding independent claim.

Dependent claim 3:

Further, with respect to claim 3, the Examiner states that "Sheppard shows the method of claim 1 wherein the information about the plurality of different items is found in reports compiled for each of the plurality of items, and each of the common tags is an anchor link (e.g., figs. 7 and 15)." Although the Examiner cites Figs. 7 and 15 as teaching the "anchor link" feature of claim 3, there is nothing in Figs. 7 and 15 which indicates the presence of an "anchor link", much less an "anchor link" used as a common tag identifying passages in information for each of the different items, which information is found reports compiled for each of the items. It is respectfully submitted that Figs. 7 and 15 are depictions of "parameter distribution" windows displaying analysis results, and not a depiction of reports from which information identified by a designated common tag is obtained for displaying in the display areas in the visual display.

Rejection of claim 2 – 35 USC 103(a) – Sheppard in view of Friedman et al. USP 6,360,188:

In rejecting claim 2, under 35 U.S.C. 103(a), the Examiner has relied upon Sheppard in view of US Pat. No. 6,360,188 to Friedman. (Office Action pp. 6-7.) Applicants respectfully traverse the Examiner's rejection. Applicants respectfully submit that claim 2, as dependent from allowable claim 1, is itself allowable.

Conclusion

For the foregoing reasons, it is respectfully submitted that the subject application is in condition for allowance, and the Examiner's indication to that end is respectfully solicited.

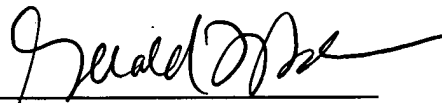
The Commissioner is hereby authorized to charge any fees that may be associated with this communication to Deposit Account No. 07-1896.

Respectfully submitted,

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